

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRANDON SHARPE,
Plaintiff,

v.

PRIMEX GARDEN CENTER,
MARSHALL GREEN, KATELYN
GINSBERG, DANNY GINSBERG AND
JAMIE KARNIK,
Defendants.

CIVIL ACTION

NO. 23-4843

ORDER

AND NOW, this 24th day of June, 2024, upon consideration of Defendants' Motion to Dismiss (ECF No. 18), Plaintiff's Response in Opposition (ECF No. 21), and Defendants' Reply (ECF No. 21), Defendants' Motion is **HEREBY GRANTED IN PART AND DENIED IN PART**. Defendants' Motion is **GRANTED** with respect to:

1. Plaintiffs' claims against Defendants Katelyn Ginsberg and Danny Ginsberg which are **DISMISSED WITHOUT PREJUDICE**.
2. Plaintiff's claims for violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*, which are **DISMISSED WITH PREJUDICE**.
3. Plaintiff's claims for retaliation in violation of 42 U.S.C. § 1981 and the Pennsylvania Human Relations Act ("PHRA") which are **DISMISSED WITH PREJUDICE**.
4. Plaintiffs' claims of a hostile work environment under 42 U.S.C. § 1981 and the PHRA which are **DISMISSED WITHOUT PREJUDICE**.
5. Plaintiffs' claim of violation of Section 955(e) of the PHRA against Defendant Marshall Green which is **DISMISSED WITHOUT PREJUDICE**.

Defendants' Motion is **DENIED** in all other respects.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.